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# Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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# Targeted Persecution of Shiite Clerics in Bahrain*

**Introduction**

The government of Bahrain has continued to violate the rights of religious clerics. 156 Shiite religious leaders have been summoned, only for exercising their right to freedom of speech, and for their ideological tendencies or political views. 89 clerics have been arbitrarily arrested by security forces, and 50 religious leaders have been sentenced in various cases to harsh sentence ranging between death penalty, life imprisonment, citizenship revocation, and enforced deportation. As of January 2018, the Bahraini authorities sentenced 3 clerics (Maytham Omran Husain, Murtada Majeed Al Sanadi, and Habib Abdullah Al Jamri) to death and revoked their citizenship. 8 clerics have sentenced to life imprisonment, 4 of whom were stripped of their nationality. 5 have sentenced to 15 years of imprisonment, 4 to 10 years, and 4 to 5 years. 11 clerics were sentenced to one-year imprisonment, and 5 have been suspended from giving religious speeches.

In total, 8 religious leaders were sentenced to life imprisonment, and 19 religious leaders were stripped of their nationality without fair trial that complies with international treaties and charters. The total number of reported violations against Shiite clerics in Bahrain counted 313 cases. The augmented targeting of Shiite clerics highlights the lack of serious efforts towards a protection of freedom of religion and belief in the country. This also indicates that the Bahraini authorities have intended no meaningful initiatives for the reform process in human rights.

**The escalation of violence against Shiite clerics**

Since the pro-democracy revolution in 2011, systematic violation has been occurred in Bahrain against Shiite clerics, who have supported peaceful protests and democratic reforms. A group of Shiite clerics have been targeted by the government for their speech and sermons.

Shiite religious associations and institutions were forced to shut down, including the Islamic Awareness Society and the Islamic Resalah Society in June 2014, and between 2011 and 2017, the Bahraini authorities prevented 6 clerics from giving sermons and leading religious rituals.

Moreover, the prosecution and harassment of religious clerics, who engage in religious and social activities, have systematically enhanced. In 2017, the number of arbitrary interrogations and arrests of clerics has sharply increased. Shaikh Maytham Al Salman, for instance, was summoned 24 times only in 2016. It is worth mentioning that these summonses are followed by harsh human rights abuse during the investigation, such as psychological and physical torture, long-hours of suspension, as well as personal and religious insults. Many of them have been also arbitrarily arrested. Since 2011, 73 Shiite clerics were arrested for unclear reasons. Furthermore, the Bahraini courts have made malicious and unfair sentences against these clerics.

**Revocation of Nationality**

The most serious violation against the rights of religious clerics is the revocation of their nationality. The Bahraini authority has used the revocation of citizenship as a tool to restrict the freedom of religion and belief. By late 2017, 19 Shiite clerics were stripped of their nationality because of their religious orientation, ethnic affiliation, and their political position. This includes Shaikh Isa Qassim, Hussain Najati, Muhammad Sanad, Alawi Al Beladi, and Ahmed RedhaShakeeb.

This violates Bahrain's commitment to protect basic human rights of its citizens. Article 17 of the Constitution of 2002 states that "Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason and other cases as prescribed by law." Rendering clerics stateless also violates their right to nationality, as guaranteed in Article 15 of the UDHR, which states that "Everyone has the right to a nationality." and "No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

**The case of Shaikh Isa Qassim**

Ayatollah Shaikh Isa Qassim, one of the most prominent religious leaders in Bahrain, is one of such cases of prosecution against religious leaders. Shaikh Isa Qasim was first targeted by the government in 1984, after the dissolution of the association he had headed, called Islamic Awareness Society. Although he was released later, the government prevented Shaikh Isa Qassim from travelling outside Bahrain, which lasted until 1991.

Since May 2013, a series of targeting started against Shaikh Isa Qassim. On June 2016, the Ministry of the Interior issued a statement declaring the revocation of his Bahraini nationality, accusing him of "causing damage to the interests

of the state." Soon after the announcement, a large number of citizens gathered in front of his house in Duraz, in protest of the arbitrary decision against the Shaikh Isa Qassim. The security forces began crackdown on protesters, which resulted in several death and injuries. The government has blocked entrances of the village and cut down the internet service until now.

**Violation of domestic and international law**

By using these methods, the government of Bahrain has violated its commitment to protect basic human rights. The Constitution of Bahrain states in Article 22 that "freedom of conscience is absolute, and the State guarantees the inviolability of places of worship, freedom to perform religious rituals, religious processions and meetings according to the customs observed in the country." The use of violence also violates the UN Universal Declaration of Human Rights, which states in Article 18 that "everyone has the right to freedom of thought, conscience and religion," as well as the International Covenant on Civil and Political Rights, which recognised that "the right of peaceful assembly shall be recognised. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others."

**Recommendations**

To the government of Bahrain:

- Release detained Shiite clerics and abolish cases against them relating to freedom of speech and opinion and provide compensation to these persons.
- Ensure prompt and thorough investigations into all cases of torture and abuse during interrogation or detention.
- The commitment of the Government of Bahrain to respect religious freedoms and freedom of expression practiced by religious clerics and preachers as set forth in the International Covenants on Human Rights.
- Prohibit torture and humiliation of detainees or those summoned and the Government's obligation to summon through the Public Prosecutor's Office and through official memoranda.
- End the discrimination practiced by the prosecution witnesses in cases of public speaking and political opinion.

To the international community:

- Urge the Government of Bahrain to respond promptly to the request for the visit of UN Special Rapporteurs, in particular the UN Special Rapporteur on Freedom of Religion or Belief, the UN Working Group on Arbitrary Detention, the UN Special Rapporteur on the Independence of Judges and Lawyers, the Special Rapporteur on Torture and Other Cruel, inhuman or degrading treatment or punishment.
- Urge international organisations and the Human Rights Council to monitor trials of religious clerics who have been charged with ordinary criminal charges under the various articles of the Criminal Code to stop the systematic targeting of Shiite religious clerics and institutions of the Shiite community.
- Continue to discuss concerns with Bahraini government officials regarding religious discrimination, torture, and targeting Shia religious clerics on the basis of their political views.
- Recognize that the Government of Bahrain has violated the human rights standards set out in the agreements signed by the Government of Bahrain, as well as setting a clear timeframe for the reforms necessary to fulfil Bahrain's obligations and to release all persons convicted solely under the Penal Code and Terrorism and put an end to the arrest of Shiite clerics because of their beliefs and religious practices or political views.

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*Salam for Democracy and Human rights, an NGO without consultative status, also shares the views expressed in this statement.